IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 13898 of 2005

Between:

G. Chenna Reddy, S/o. Nagi Reddy,
R/o. H.No. 2-108, Sirigiripadu Village,

Veldurthy Mandal, Guntur District.

..... PETITIONER

AND

1. The Revenue Divisional Officer, Civil Supplies, Narasaraopet, Guntur District.
2. The Mandal Revenue Officer, Civil Supplies, Veldurthy Mandal, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ, order or direction particularly one in the nature of writ of writ of Mandamus declaring the action of the 2nd respondent in not accepting the Demand Drafts for the release of Essential commodities to distribute under A.P. State Public Distribution System Control Order, 2001 to the cardholders of the petitioner's Fair Price Shop without assigning any reasons and without notice as illegal, arbitrary, unjust, in violation of principals of Natural Justice and in violation of 21 of constitution of India and consequently direct the 2nd respondent to release of Essential Commodities of distribute under Andhra Pradesh State Public Distribution System control Order, 2001 to the cardholders of the petitioner's Fair Price Shop.

Counsel for the Petitioner: MR.V.PADMANABHA RAO

Counsel for the Respondent Nos.1 & 2: GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following:

Oral order:-

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The petitioner has a valid, current and operative authorization for a Fair Price Shop at Sirigiripadu village, Veldurthy Mandal, Guntur district; and that he is functioning as such since 1991. He distributed essential commodities till May, 2004 and applied for leave from June, 2004 to September, 2004 for medical treatment and the leave was sanctioned; thereafter from September, 2004 to December, 2004 for the same purpose he applied leave and was sanctioned; and that in January, when he approached the 2nd respondent and submitted an application for joining back and running the fair price shop, the same was not accepted. He thereafter applied medical leave for three months from December 2004 and leave was sanctioned, that in April, 2005 he obtained demand drafts and submitted them to the 2nd respondent for release of essential commodities in his favour for his business, despite which the supplies were not made. He reiterates that his authorization is current, valid and operative.

In the aforesaid circumstances, if the petitioner's authorization is neither suspended nor cancelled and as the demand drafts were stated to be submitted for release of the essential commodities, the essential commodities shall be released in favour of the petitioner forthwith. The writ petition is disposed of as above. No order as to costs.

GODA RAGHURAM, J

Dt. 06-07-2005

Pvks/*

To

1. The Revenue Divisional Officer, Civil Supplies, Narasaraopet, Guntur District.
2. The Mandal Revenue Officer, Civil Supplies, Veldurthy Mandal, Guntur District.

3. 2 CCs., to the learned Government Pleader for Civil Supplies, A.P. High

Court Buildings, Hyderabad (OUT)

4. 2 CD copies

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